



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 7, 2005 LOCAL EFFECTIVE DATE October 21, 2005 APPROX FINAL EFFECTIVE DATE November 14, 2005	CONTACT/PHONE Ryan Hostetter, Planner II (805) 788-2351	APPLICANT Benjamin Cisneros	FILE NO. DRC2004-00067
SUBJECT Request by Benjamin Cisneros for a Minor Use Permit/Coastal Development Permit to allow a new two story 1,536 square foot storage building. The project will result in the disturbance of approximately 768 square feet of a 0.96 acre parcel. The proposed project is within the Industrial land use category and is located at 2295 Willow Road (Highway 1), within the Callendar Garrett area, and approximately four miles west of the community of Nipomo. The site is in the South County planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00067 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on September 2, 2005 (ED05-103).			
LAND USE CATEGORY Industrial	COMBINING DESIGNATION Local Coastal Program, Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 091-341-015	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Access to Highway 1 <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Setbacks, Building Height, Fence Height, Parking, Landscaping & Screening <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

EXISTING USES: Site currently contains one single family residence and detached garage	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/Residential <i>East:</i> Industrial/Industrial <i>South:</i> Industrial/Industrial <i>West:</i> Industrial/Industrial	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, CDF, and the California Coastal Commission	
TOPOGRAPHY: Site is nearly level	VEGETATION: Ornamental vegetation and grasses
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: August 4, 2005

DISCUSSION

PLANNING AREA STANDARDS:

Access to Highway 1: Projects proposed adjacent to Highway 1 are to be designed to not have direct access to the highway. The proposed project fronts Highway 1 and no other public roads are available to access the site. There currently exists only one access point to the project site from Highway 1 and is a maximum of twenty feet wide. This property, as well as adjoining properties, currently have existing historic direct access off of Highway 1, and no new access points on Highway 1 will be constructed with this proposed project. *This project complies with this standard.*

LAND USE ORDINANCE STANDARDS:

Setbacks: The required setbacks for the project site are: Front 25 feet, side setbacks are zero and because this parcel is adjacent to a residential use to the rear - the rear setback is to be 15 feet. *The project complies with these standards.*

Building Height: Maximum building height for this Industrial area is 45'. *This project complies with this standard.*

Fencing and Screening: Fences within an Industrial area can be up to 12 feet in height where buildings may be constructed on the property line. The site has existing six foot high fencing around a portion of the site. *This project complies with this standard as conditioned.*

Parking: No additional parking spaces are required for the addition of the workshop, provided that sufficient usable area is available to accommodate all employee and user parking needs entirely on-site. *The project complies with this standard.*

Landscaping: Landscaping is required for all projects that require land use permit approval. The applicant shall provide a landscape plan prior to final inspection. *This project complies with this standard as conditioned.*

COASTAL PLAN POLICIES:

Public Works:

Policy 1: Availability of Service Capacity: The project consist of an addition of a storage building. The Applicant will be required as a Condition of Approval to provide verification of water availability from the Woodland Park Water Co. to the proposed project if any plumbing fixtures will be installed with the project.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because no structures are proposed with this project and will not be located on slopes over 20% and it is not in an environmentally sensitive habitat area.

Policy 10: Drainage Provisions: The site will remain in the current condition and no grading or earth moving will occur.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Archeology:

Policy 6: Archaeological Resources Discovered During Construction or through Other Activities: If substantial resources are discovered during construction of new development, or through non-permit related activities, all activities shall cease until a qualified archaeologist knowledgeable in the Chumash culture can determine the significance of the resource and submit alternative mitigation measures.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

AGENCY REVIEW:

Public Works- No comment

CDF –Fire plan review in file.

California Coastal Commission – none

Woodland Park Mutual Water-Letter in file

LEGAL LOT STATUS:

The 1 lot was legally created by deed at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a Categorical Exemption (Class III) pursuant to CEQA Guidelines Section 15303 because the project consists of locating one small workshop, some fencing and landscaping.

Minor Use Permit

B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.

C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.

D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.

F. The applicant has demonstrated that adequate public service capacities is available to serve the proposed project by submitting a water will-serve letter.

Coastal Access

G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project will not inhibit access to the coastal waters and recreation areas.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
 - a. the construction of a new two story 1,536 square foot storage building.
 - b. with a maximum height of 19' 7-1/2" from (as measured from average natural grade).

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
4. At the time of application for construction permits the applicant shall submit a landscaping and screening plan which shall include but not be limited to the following:
 - a. The property shall be fenced with wood or wood-appearing materials. There shall be no chain-link fencing within the view of Highway 1.
 - b. The property shall be landscaped with drought tolerant native vegetation in order to screen the workshop and industrial nature of the property.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated November 4, 2004.

Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from Woodland Park Mutual Water Company stating they are willing and able to service the property.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

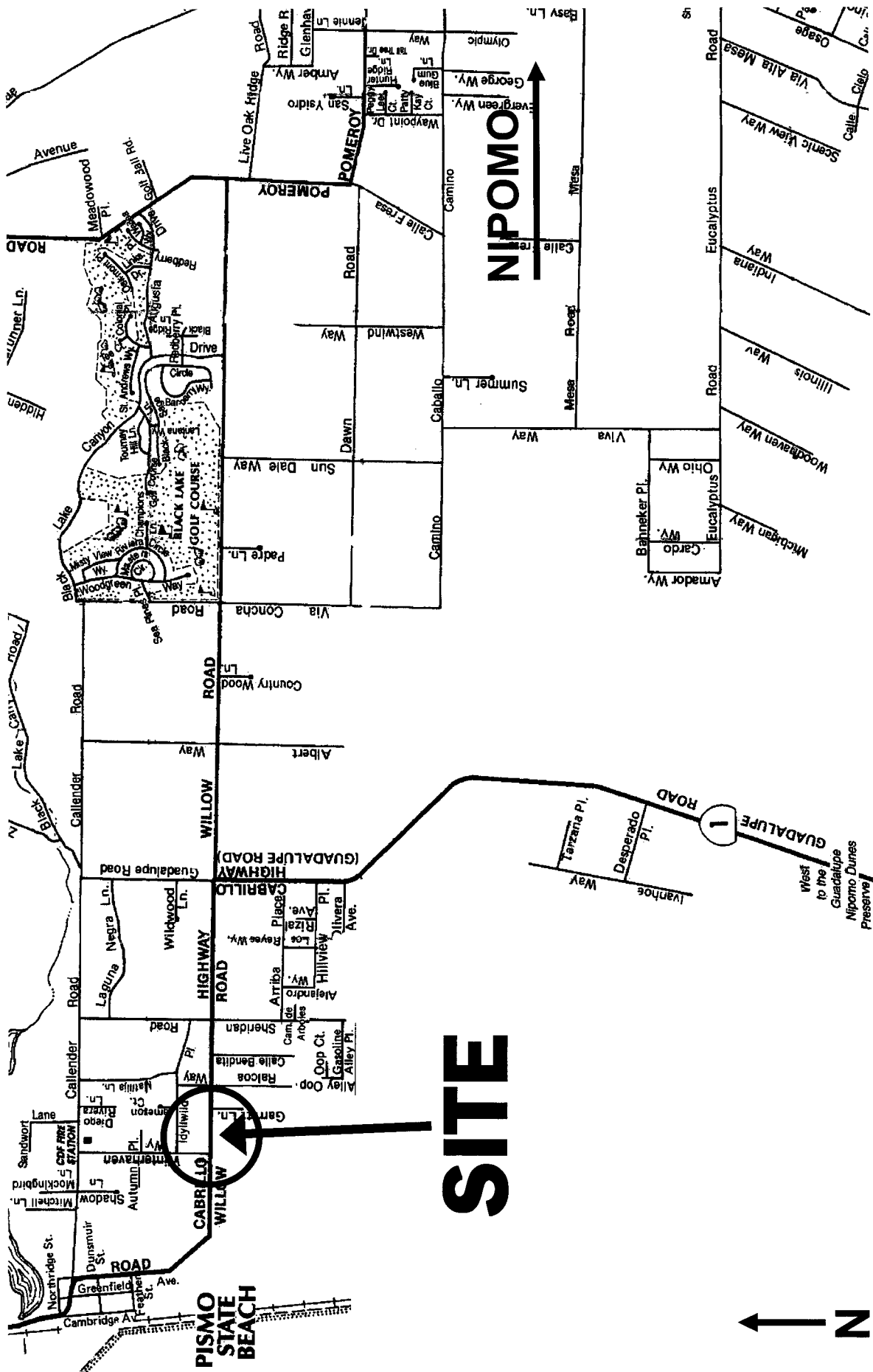
7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

9. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before **final building inspection / establishment of the use**. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
10. **Prior to occupancy or final inspection, which ever occurs first**, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
11. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

12. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
13. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.



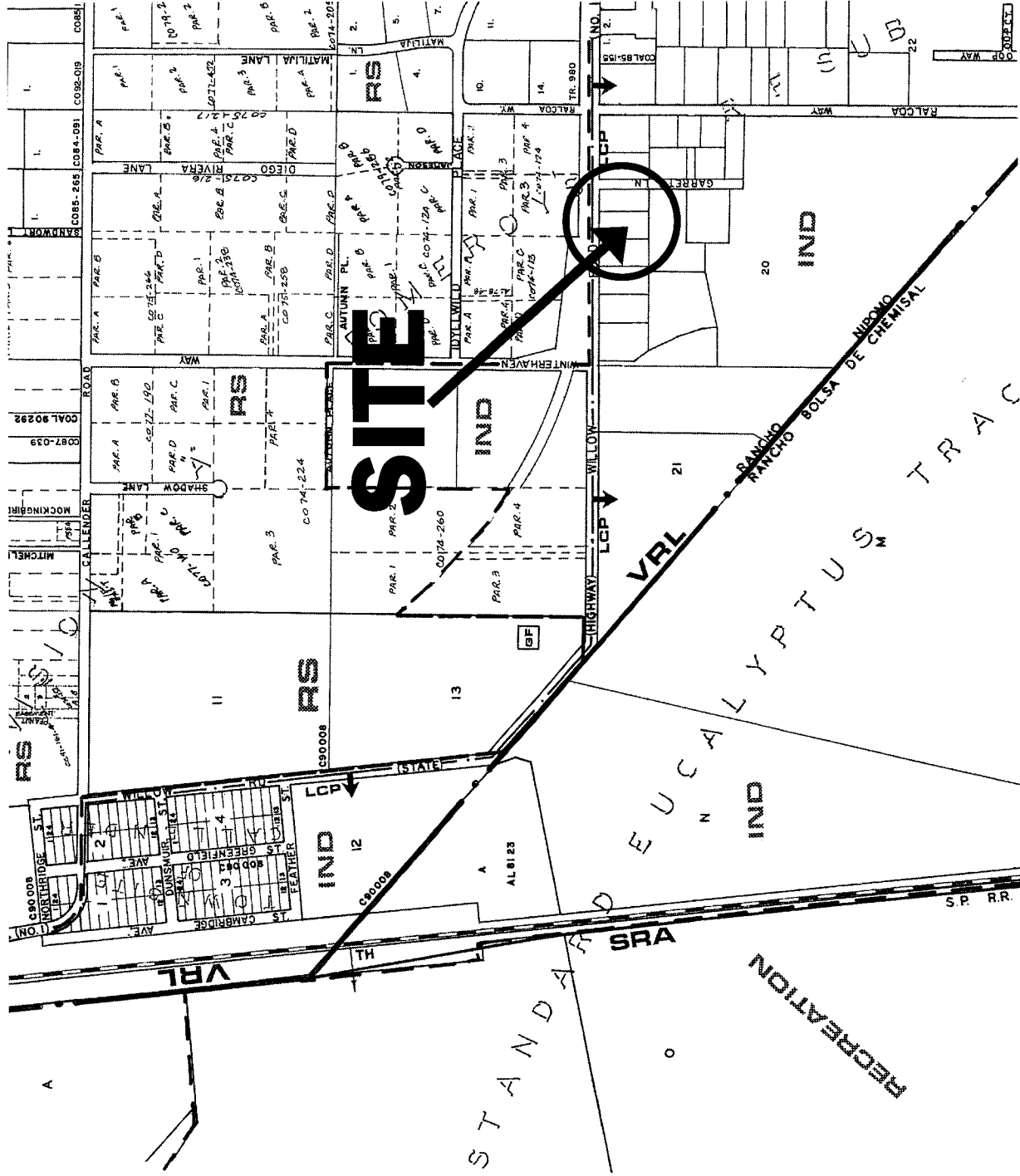
PROJECT

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Cisneros DRC2004-00067

EXHIBIT

Vicinity Map





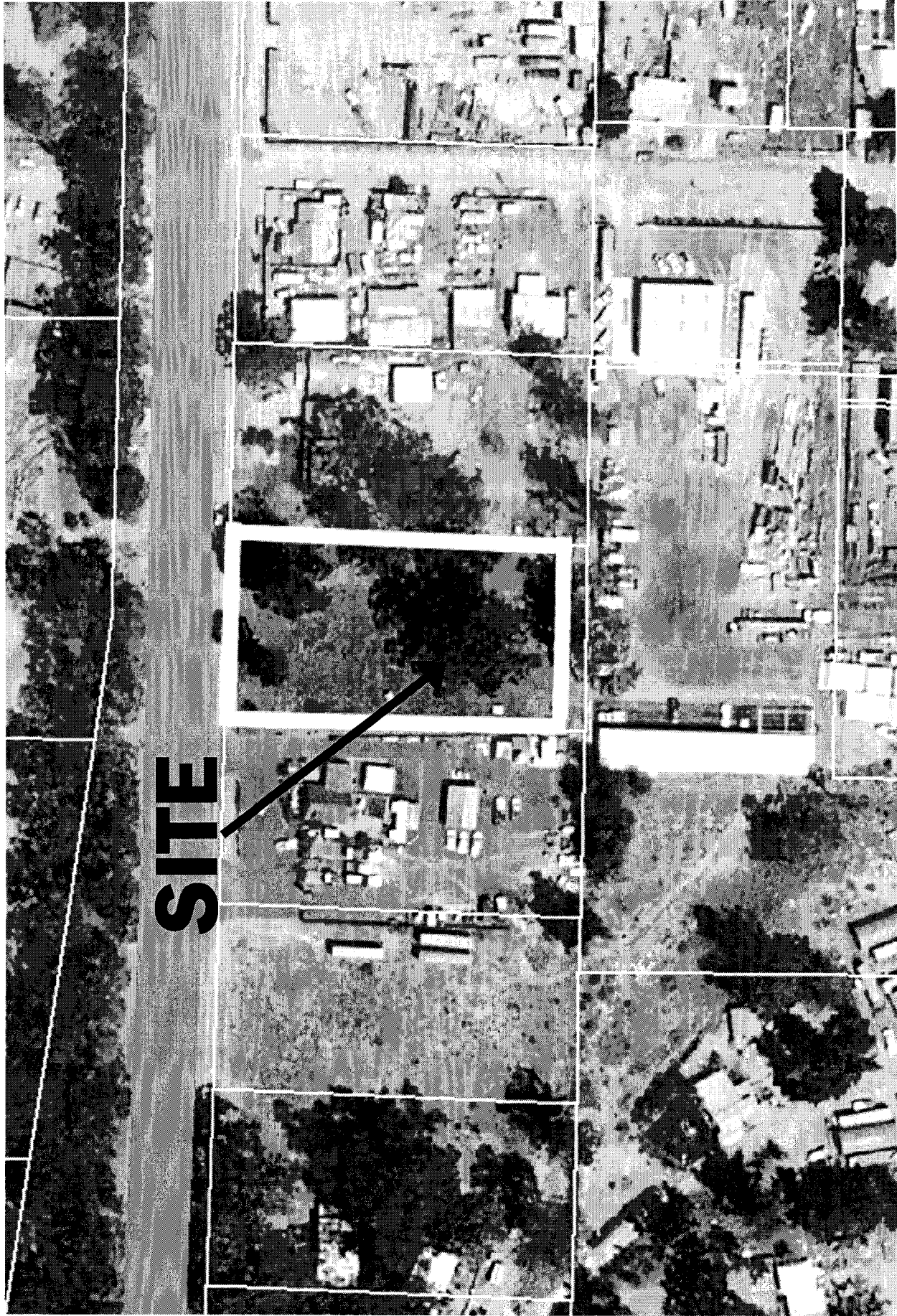
PROJECT

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EXHIBIT

Land Use Category



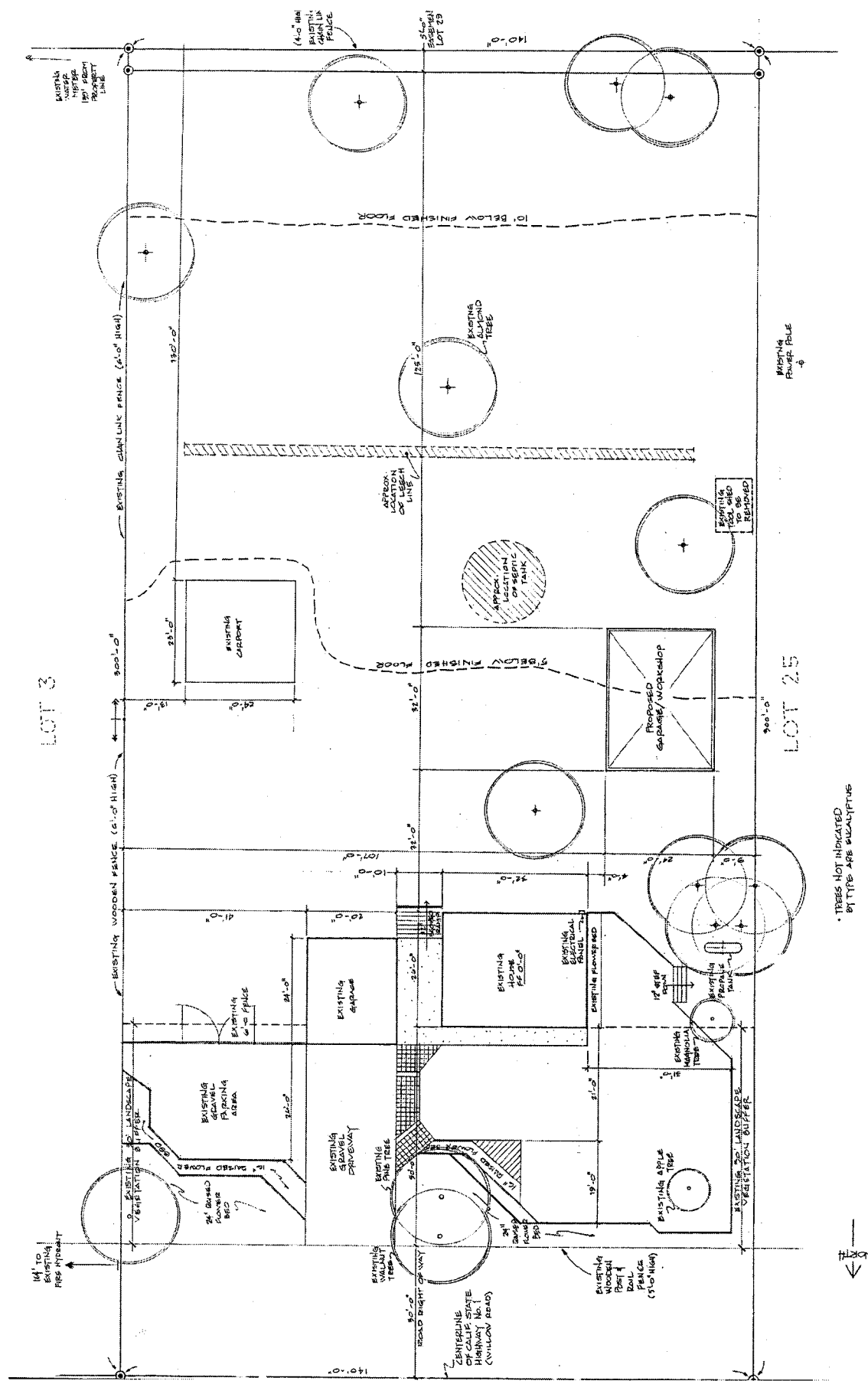
PROJECT

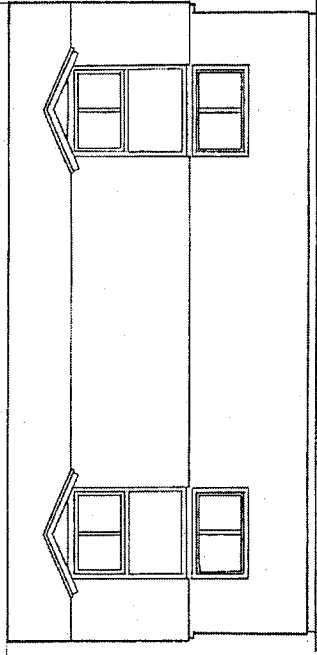
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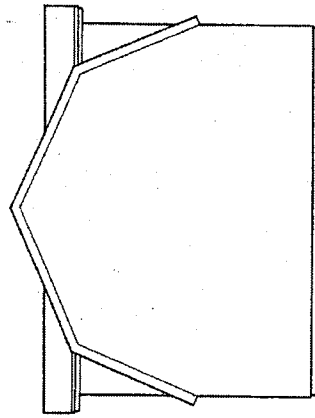
EXHIBIT

Aerial Photograph

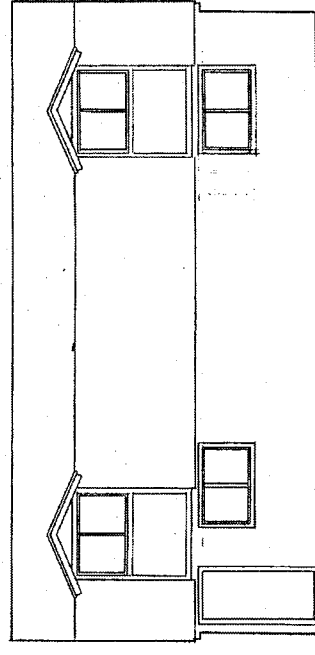




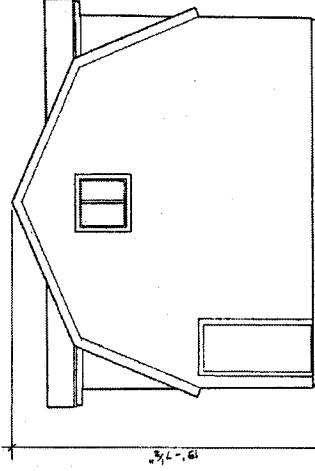
WEST



SOUTH



EAST



NORTH

PROJECT

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EXHIBIT

Elevations

